

**RESOLUTION OF THE GOVERNING BOARD OF THE
SANTA BARBARA COMMUNITY COLLEGE DISTRICT**

**RESOLUTION NO. FOR APPROVAL OF
ENERGY CONSERVATION MEASURES AND ENERGY SERVICES AGREEMENT**

WHEREAS, Compass Energy Services, LP, (hereinafter, CES) has represented to the Santa Barbara Community College District (“District”) that CES has prepared specifications and designed the installation for certain conservation measures as defined in Government Code section 4217.11 (“Energy Conservation Measures”) at the sites indicated in **Attachment B** attached hereto (collectively, the “Facilities”); and

WHEREAS, CES has represented to the District that CES can provide, install and construct those Energy Conservation Measures; and

WHEREAS, in 2019, CES was commissioned by the District to identify, evaluate and provide energy efficient HVAC upgrade recommendations on the main campus. CES conducted a detailed review of the main campus building facilities’ electrical distribution system, mechanical/electrical energy end-use and building infrastructure. Due to the age of the equipment, coupled with the coastal climate, CES paid close attention to the state of decay and declining performance of the equipment. In 2023, the District recommissioned CES to expand the scope and address old and failing mechanical equipment campus-wide; and

WHEREAS, the District has analyzed in conjunction with CES the energy needs at the proposed facilities’ upgrade projects and has concluded that the installation and construction of the Energy Conservation Measures at the Facilities designated in the contract with the CES will result in an anticipated reduction in costs for energy consumption or demand that will result in net cost savings to the District (“Cost Savings”); and,

WHEREAS, based upon the Site List and energy analysis and the presentation by District staff and its consultants, the cost to the District for CES to design, install, and construct the Energy Conservation Measures will be less than the anticipated marginal cost to the District of electrical or other energy that would have been consumed by the District in the absence of the Energy Conservation Measures; and

WHEREAS, Government Code section 4217.12 (a) authorizes a public agency to enter into an energy services contract if the determination is made at a regularly scheduled public hearing, public notice of which is given at least two weeks in advance, and if the Board of Trustees finds that the anticipated cost to the District for electrical energy or conservation measures pursuant to the Energy Services Agreements will be less than the anticipated marginal costs to the District of electrical or other energy that would have been consumed by the District in the absence of those purchases; and

WHEREAS, the District is a public agency and its governing body is this Board of Trustees

(“Governing Board”); and

WHEREAS, on this date, pursuant to Government Code section 4217.10 *et seq.*, this Governing Board held a public hearing with respect to the District entering into the contract with CES and the determination of this Resolution is based on the information and findings from that hearing.

WHEREAS, a copy of the form of the Energy Services Agreement is attached hereto as **Attachment A** and incorporated herein; and

WHEREAS, the District desires to retain CES to provide, install and construct the Energy Conservation Measures pursuant to the terms and conditions of the Energy Services Agreement attached as **Attachment A**.

NOW, THEREFORE, it is found, determined and resolved by the Governing Board of the District as follows:

1. That the District held a public hearing at a regularly scheduled meeting of the Governing Board.
2. Based upon reports of staff and consultants, reviewed by the Governing Board in connection herewith, and pursuant to Government Code section 4217.12, the Governing Board finds that the anticipated cost to the District for the Energy Conservation Measures provided pursuant to the terms of the Energy Services Agreement attached as **Attachments A** will be less than the anticipated marginal costs to the District of electrical or other energy that would have been consumed by the District in the absence of such purchases.
3. It is in the best interests of the District to enter the Energy Services Agreement attached as **Attachments A** pursuant to the terms as indicated in the form of Energy Services Agreement attached as **Attachments A**, subject to minor revisions approved by staff and legal counsel that do not alter or reduce the best interests approved in this Resolution.
4. That the District’s Superintendent/President or her designee is authorized to enter into the Energy Services Agreement attached as **Attachments A** for each site listed in the Site List attached as **Attachment B** and pursuant to the terms as indicated in the form of Energy Performance Services Agreement attached as **Attachments A**, subject to minor revisions approved by staff and legal counsel that do not alter or reduce the best interests approved in this Resolution and to take all steps and perform all actions necessary to execute and implement that Contract and to take any actions deemed necessary to best protect the interests of the District.

PASSED AND ADOPTED by the Board of Trustees of the Santa Barbara Community College District, this 14th day of September 2023, by the following vote:

Aye: Trustees Abboud, Everett, Croninger, Gallardo, Gullap-Moore, Miller, and Stoddard

No: None

Abstain: None

Absent: None

Advisory: Student Trustee Kofoed



Jonathan Abboud, President
Santa Barbara Community College District Board of Trustees



Dr. Erika Endrijonas, Superintendent/President
and Secretary/Clerk to the Board of Trustees
Santa Barbara Community College District

Attachments:

- Attachment A – Form of Energy Services Agreement
- Attachment B – Site List